

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL CHARLES BERTSCH,

Plaintiff,

v.

RUPERT MURDOCH, et al.,

Defendants.

CASE NO. C12-5029BHS

ORDER DENYING MOTION TO
PROCEED IN FORMA
PAUPERIS

This matter comes before the Court on Plaintiff's Motion to Proceed In Forma Pauperis. Dkt. 1. The Court has considered the motion and the remainder of the record and hereby denies the motion for the reasons stated herein.

On January 11, 2012, Plaintiff filed a civil action against Rupert Murdoch, 20th Century Fox Television, 20th Century Fox, and Fox Television Studios. Plaintiff has also filed a motion to proceed in forma pauperis.

A district court may permit indigent litigants to proceed in forma pauperis upon completion of a proper affidavit of indigency. See 28 U.S.C. § 1915(a). However, the Court has broad discretion in denying an application to proceed in forma pauperis.

Weller v. Dickson, 314 F.2d 598 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963).

1 It appears that Plaintiff has the cash and bank account funds to pay the filing fee in
2 this case. He states that he receives \$280.00 a month and that he also has \$10,000 in gifts
3 or inheritances. Plaintiff has made a choice to file this civil action. While the costs of
4 this action may place a burden on his resources, Plaintiff appears to have sufficient funds
5 to avail himself of his legal remedies by filing this action. Accordingly, Plaintiff's
6 Motion to Proceed In Forma Pauperis should be denied. Before the court dismisses this
7 case, however, Plaintiff should have the opportunity to pay the filing fee.

8 Therefore, it is hereby **ORDERED** that Plaintiff's motion to proceed in forma
9 pauperis is **DENIED**. If Plaintiff desires to proceed with this civil action, he shall pay
10 the filing fee to the Court Clerk, not later than February 8, 2012. If Plaintiff fails to
11 timely submit the filing fee, the Clerk is directed to dismiss this case without prejudice.

12 Dated this 25th day of January, 2012.

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15 BENJAMIN H. SETTLE
16 United States District Judge
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